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DE RUEHBK #1246/01 1411020
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O 211020Z MAY 09
FM AMEMBASSY BANGKOK
TO RUEHC/SECSTATE WASHDC IMMEDIATE 7086
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS IMMEDIATE
RUEKJCS/SECDEF WASHINGTON DC IMMEDIATE
RHHMUNA/CDR USPACOM HONOLULU HI IMMEDIATE
RHEHNSC/NSC WASHDC IMMEDIATE
RUEAIIA/CIA WASHINGTON DC IMMEDIATE
RHEFDIA/DIA WASHDC IMMEDIATE
RUEHBJ/AMEMBASSY BEIJING PRIORITY 7067
RUEHBY/AMEMBASSY CANBERRA PRIORITY 9689
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 5604
RUEHUL/AMEMBASSY SEOUL PRIORITY 5511
RUEHKO/AMEMBASSY TOKYO PRIORITY 1631
RUEHCHI/AMCONSUL CHIANG MAI PRIORITY 6588

C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 001246

SIPDIS

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TAGS: [PREL](#) [PGOV](#) [PHUM](#) [TH](#) [BM](#)
SUBJECT: ASEAN DEBATES ASSK DETENTION

REF: A. BANGKOK 1219 (ASEAN CHAIR STATEMENT)
[1](#)B. RANGOON 295 (DIPLOMATS MEET ASSK)

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Classified By: Deputy Chief of Mission James F. Entwistle, reason: 1.4
(b and d).

SUMMARY AND COMMENT

[1](#)1. (C) EAP Deputy Assistant Secretary (and U.S. Ambassador to ASEAN) Scot Marciel attended the ASEAN Regional Forum (ARF) Senior Officials' Meeting (SOM) in Phuket May 19-20. He had a brief encounter with his Burmese counterpart, Director General for ASEAN Affairs U Than Tun, on the margins and explained the serious setbacks that the arrest and trial of Aung San Suu Kyi (ASSK) have been for U.S.-Burma relations. Than Tun did not indicate any steps the GOB might take on ASSK's case, but he expressed hope for improved relations with the U.S. In bilateral meetings on the margins, Thai Permanent Secretary Virasadki Futrakul and Singaporean Permanent Secretary Peter Ho separately described the intra-ASEAN discussions leading up to Thailand's issuance of an ASEAN Chairman's Statement (ref A). In the morning plenary session DAS Marciel said that ASSK's recent arrest and trial were troubling, and her previous house arrest was unjustified. Japan, New Zealand, the EU, Canada and Australia all made statements urging the GOB to release ASSK immediately, while China and India took a much weaker approach. Burma explained its view of ASSK's arrest.

[1](#)2. (C) Comment: We noted at the SOM that Thailand, Indonesia, Malaysia, Singapore and the Philippines were more willing than others to press Burma, but the more reluctant ASEAN members appear able to impede any effort to have ASEAN take a forceful stand. End Summary and Comment.

ARF SOM U.S.-BURMA ENCOUNTER

[1](#)3. (C) DAS Marciel had a brief exchange on the margins of the ARF SOM with Burmese senior official Than Tun on May 20. Than Tun said the GOB wanted to improve relations with the U.S. DAS Marciel explained that the U.S. was open to improving relations, but the GOB needed first to show some willingness to move on issues of concern. The arrest and trial of ASSK had become serious setbacks that have made it harder to start to improve relations. DAS Marciel emphasized

that the GOB should take positive steps towards national reconciliation, starting with the release of ASSK. Than Tun commented that the GOB's biggest problem was its ability to communicate information to its own top leaders. The consequence was that the leaders at the top did not understand the U.S.

OTHER BILATERAL MEETINGS

¶4. (C) DAS Marciel met separately with Thai MFA PermSec Virasakdi Futrakul on May 19. DAS Marciel stated that ASSK's arrest was a major setback for ASEAN and national reconciliation in Burma. Virasakdi explained some of the background to the release of the ASEAN Chairman's Statement that called for ASSK's immediate release (ref A). Virasakdi said that the Thais initially discussed issuing an ASEAN statement, but this appeared difficult because, even aside from Burma, ASEAN members lacked consensus on the issue. Cambodia, Laos and Vietnam did not agree with the prospective statement; Brunei also did not want to be associated with it, while the Philippines strongly supported it. Virasakdi said that Burma's Foreign Minister read the draft and understood the need for the statement. Virasakdi said that, in the end, Thailand tried to reflect the views of all of the ASEAN countries. The Indonesians proposed a statement by the four or five members that were willing to speak out, but the ASEAN members felt that such a statement would be harmful because it would show that ASEAN was divided. The Thais then decided to issue a statement as Chair that would reflect the differing views. The Burmese FM accepted the Thai view.

¶5. (C) Separately, Singaporean MFA Permanent Secretary Peter Ho told DAS Marciel that the ASEAN senior officials had spent

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the entire SOM dinner on May 18 discussing Burma and ASSK. Ho explained that the Indonesians pressed for a joint statement from Thailand, Indonesia, the Philippines, Malaysia, Singapore, and Brunei; Brunei was unwilling to go along. Ho said that he himself had suggested Thailand issue a Chairman's Statement, following Singapore's 2007 example. The Thais discussed this with the Burmese, who checked with Rangoon and then in effect accepted Thailand's need to issue a statement.

ARF SOM PLENARY MEETINGS

¶6. (C) During the plenary meeting on the morning of May 20, DAS Marciel told assembled representatives that the GOB's arrest of ASSK was deeply troubling, especially considering the unjustified nature of her house arrest. The new charges, coupled with her recent arrest, were completely baseless and in violation of the ASEAN Charter. These actions taken by the GOB would only move Burma further away from national reconciliation and toward greater tension. The USG would consider these latest actions as it continued its policy review on Burma.

¶7. (C) Also in the morning plenary session, Japan, New Zealand, the EU, Australia and Canada all made statements demanding the immediate release of ASSK and all other political prisoners, and they urged the GOB to move toward genuine political reconciliation and a democratic process. China and India took much weaker positions regarding ASSK in their statements, with China stating that the affairs of Burma should be handled by the Burmese people, and the international community should play a constructive role in Burma's step-by-step development towards democracy, supporting the UN and ASEAN. India commented that it had very good relations with the GOB, fully supported the UN Secretary General's office regarding Burma, and believed that political reform there should be undertaken expeditiously. Burma gave the legal rationale for the charges brought against ASSK, noting the need to safeguard the state against

subversive acts. The GOB had no intention to press a special case against ASSK, but did so after Amcit John Yettaw spent two nights on her compound.

¶8. (C) In the afternoon plenary session Virasadki, in his role as Chair, announced that the GOB would allow three diplomats -- from Thailand, Singapore, and Russia -- to meet with ASSK after her trial hearing on May 20. (Ref B confirmed the diplomats' meeting with ASSK.)

¶9. (U) DAS Marciel has cleared this cable.
JOHN